

PERSONNEL

MERIT SYSTEM BOARD

Veterans and Disabled Veterans Preference

Veterans Preference

Adopted Amendment: N.J.A.C. 4A:5-1.1

Proposed: September 20, 2004 at 36 N.J.R. 4198(a)

Adopted: December 1, 2004 by the Merit System Board, Marjorie A. Schwartz, Acting Commissioner, Department of Personnel.

Filed: December 7, 2004 as R.2005 d.18, without change.

Authority: N.J.S.A. 11A:2-6(d) and P.L.2003, c.197.

Effective Date: January 3, 2005.

Expiration Date: February 13, 2008.

Summary of Hearing Officer Recommendations and Agency Responses:

A public hearing on the proposed amendment was held on October 18, 2004 in Trenton, New Jersey. Elizabeth Rosenthal served as hearing officer. No comments were received on the proposed amendment at that time, and no recommendations were made by the hearing officer. No written comments were received. The record of the public hearing may be reviewed by contacting Henry Maurer, Director, Division of Merit System Practices and Labor Relations, Department of Personnel, P.O. Box 312, Trenton, New Jersey 08625-0312.

Federal Standards Statement

A Federal standards analysis is not necessary for the adopted amendment as it is governed solely by State law. See P.L.2003, c.197.

Full text of the adopted amendment may be found in the New Jersey Administrative Code at N.J.A.C. 4A:5-1.1.

4A:5-1.1 Veterans preference

(a) (No change.)

(b) A person is entitled to veterans preference (abbreviated as "V") if he or she had been discharged or released from active United States military or naval service under conditions other than dishonorable, and:

1. – 6. (No change.)

7. Served in Somalia or on board any ship actively engaged in patrolling the territorial waters of that nation for the Operation Restore Hope mission for a period, continuously or in the aggregate, of at least 14 days. The 14 days must have commenced on or after December 5, 1992, or on or after the date of inception of that operation as proclaimed by the President of the United States or the Congress, whichever date is earliest, and on or before March 31, 1994, or the date of termination as proclaimed by the President of the United States or the Congress, whichever date is latest;

8. Served in Operation Uphold Democracy in Haiti for a period of at least 14 days, continuously or in the aggregate, on or after September 19, 1994 and commencing on or before March 31, 1995, in Haiti or on board any ship actively engaged in patrolling the territorial waters of Haiti for that period, and received an Armed Forces Expeditionary Medal for such service[. The 14 days must have commenced on or after September 19, 1994 and terminated on or before March 31, 1995];

9. Served in the Republic of Bosnia and Herzegovina for a period of 14 days, [commencing]

continuously or in the aggregate, on or after November 20, 1995 [or on or after December 20, 1996, as the case may be], in direct support of [the] Operation Joint Endeavor [mission, or commencing on or after December 20, 1996 in direct support of the] or Operation Joint Guard [mission, with either mission terminating on such date as the United States Secretary of Defense may designate] ,commencing on or before June 20, 1998, and:

- i. Was deployed in that nation or in another area in the region;
- ii. Was on board a United States naval vessel operating in the Adriatic Sea; or
- iii. Operated in airspace above the Republic of Bosnia and Herzegovina;

10. Served in Operation Enduring Freedom in a theater of operation and in direct support of that operation for a period, continuously or in the aggregate, of at least 14 days, on or after September 11, 2001 but commencing on or before the date the President of the United States or the United States Secretary of Defense designates as the termination date of that operation;

11. Served in Operation Iraqi Freedom in Iraq or in another area in the region in direct support of that operation for a period, continuously or in the aggregate, of at least 14 days, on or after the date the President of the United States or the United States Secretary of Defense designates as the inception date of the operation, commencing on or before the date the President of the United States or the United States Secretary of Defense designates as the termination date of that operation;

[10.] 12. Received a service-incurred injury or disability during a period in (b)1 above or while serving in a mission during a period and within the corresponding geographical area, as specified in (b)2 through [9] 11 above, regardless of the length of service or, in the case of (b)8 above, regardless of receipt of an Armed Forces Expeditionary Medal;

Recodify existing 11. and 12. as 13. and 14. (No change in text.)